

FCC MAIL SECTION

May 18 4 18 PM '93
Before the
Federal Communications Commission
Washington, D.C. 20554

DISPATCHED BY PR Docket No. 92-153

In the Matter of

Part 90 Fire Call Box
Operations in the
72-76 MHz Frequency Band

REPORT AND ORDER

Adopted: May 3, 1993;

Released: May 18, 1993

By the Commission:

I. INTRODUCTION

1. This *Report and Order* adopts the rule changes proposed in our *Notice of Proposed Rule Making*¹ in this Docket. We are amending Part 90 of our Rules to permit Fire Radio Service eligibles to use ten low-power mobile frequencies in the 72-76 MHz band, on a shared basis, for fire call box operations.² These amendments will provide for a radio system that will aid in saving lives and property by promoting reliable transmission of fire warning messages.

¹ Notice of Proposed Rule Making, Part 90 Fire Call Box Operations in the 72-76 MHz Frequency Band, PR Docket No. 92-153, FCC 92-320, 7 FCC Rcd 4571 (1992).

² We received two requests for shared use of additional frequencies. First, the International Association of Fire Chiefs, Inc. and the International Municipal Signal Association (IAFC/IMSA or Joint Petitioners) requested that we allow Fire Radio Service eligibles to share twenty frequencies that are the subject of another proceeding. See Report and Order, Amendment of Part 90 to Increase the Number of Frequencies in the 72-76 MHz Band for Low-Power Mobile Use, PR Docket No. 91-295, 7 FCC Rcd _____ (1992); comments of the American Association of State Highway and Transportation Officials (AASHTO) at 2. Second, AASHTO asked us to permit highway call box operation on the ten frequencies that are the subject of the instant proceeding. See Comments and Supplement to RM-7783, filed by IAFC/IMSA on October 23, 1991, at 1-2. We decline to expand the scope of this proceeding because both requests are already within the scope of another rule making. See Notice of Proposed Rule Making, Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them, PR Docket No. 92-235, FCC No. 92-469, released November 6, 1992, at para. 17, and proposed Rule Sections 88.907(d), 88.909(6) and 88.911(d), set forth in

II. BACKGROUND

2. In the 72-76 MHz band, 68 frequencies are designated for fixed operation and are shared among licensees in several Private Land Mobile Radio Services. While licensees using the frequencies for call box operations are limited by our Rules to an output power of one watt,³ the other users of the frequencies are not subject to this power limitation. Thus, call box operations, including fire call box transmissions, may suffer interference from licensees operating at much higher power levels. Joint Petitioners have therefore requested⁴ that we permit Fire Radio Service eligibles to conduct fire call box operations on ten additional 72-76 MHz channels, currently shared by licensees in the Forest Products, Special Industrial, Railroad, and Manufacturers Radio Services.⁵ Licensees using these frequencies may not transmit at an output power greater than one watt, pursuant to 47 C.F.R. § 90.257(b). In response to the IAFC/IMSA Petition, we issued the referenced *Notice of Proposed Rule Making* requesting comment and proposing rule changes to permit Fire Radio Service eligibles to be licensed on the ten additional frequencies in the 72-76 MHz band, on a shared basis, for the purpose of conducting fire call box operations.

III. DISCUSSION

3. All commenters support our proposed Rules.⁶ Fire call boxes enable passersby to inform local authorities about fires quickly, thereby decreasing response time and saving countless lives and property. If a call box message is subject to interference, valuable moments may be lost, and the fire may inflict substantial damage. We believe that promoting fire call box operation is integral to public safety and consequently conclude that adopting our proposal will clearly serve the public interest.

4. Furthermore, allowing Fire Radio Service eligibles to share frequencies with licensees in other services transmitting at the same maximum power level⁷ will greatly decrease the possibility of interference with fire call box

Appendix D of that item.

³ Fire call boxes enable pedestrians to notify local authorities of fires or other emergencies. These call boxes transmit signals on 72-76 MHz frequencies designated for fixed use. They are limited to a transmitter output power of one watt by Section 90.241(a) of our Rules, 47 C.F.R. § 90.241(a).

⁴ The IAFC/IMSA Petition for Rule Making, RM-7783, was put on public notice on August 26, 1991.

⁵ Ten frequencies in the 72-76 MHz band are currently reserved for shared low-power use by the Forest Products, Special Industrial, Railroad, and Manufacturers Radio Services. The frequencies are listed in 47 C.F.R. §§ 90.67(c)(34), 90.73(d)(7), 90.79(d)(4), and 90.91(c)(2). Although these channels are designated for mobile operations, they may also be used by base stations or fixed transmitters. 47 C.F.R. § 90.257(a). Fixed operations may not interfere with reception of television Channels 4 or 5, pursuant to Section 90.257(a)(2) of our Rules, 47 C.F.R. § 90.257(a)(2).

⁶ See comments of IAFC/IMSA at 2-3, comments of American Association of State Highway and Transportation Officials (AASHTO) at 2, comments of MRFAC at 1.

⁷ This shared use is subject to Section 90.257(b), 47 C.F.R. § 90.257(b), which limits transmitter output power to one watt and prohibits 72-76 MHz band mobile operations from interfer-

operations.⁸ Therefore, based on the record before us, we adopt the proposed rules to make these additional channels available for fire call box operations.

(b) * * *

IV. CONCLUSION

5. In summary, this *Report and Order* amends Part 90 of our Rules to allow Fire Radio Service eligibles to be licensed on ten low-power frequencies in the 72-76 MHz band for the purpose of conducting fire call box operations. The Fire Radio Service will share these frequencies with licensees in the Forest Products, Special Industrial, Railroad, and Manufacturers Radio Services, and fire call box transmissions must satisfy the provisions of Section 90.257(b) of our Rules.

V. ORDERING CLAUSES

6. Accordingly, IT IS ORDERED that, pursuant to the authority of Sections 4(i), 303(r) and 332(a) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r) and 332(a), Part 90 of the Commission's Rules, 47 C.F.R. Part 90, IS AMENDED as set forth in the Appendix below, effective [thirty days after publication in the Federal Register].

7. IT IS FURTHER ORDERED that this proceeding IS TERMINATED.

8. For further information concerning this *Report and Order*, contact Julia Kogan, Land Mobile and Microwave Division, Private Radio Bureau, (202) 632-7125.

FEDERAL COMMUNICATIONS COMMISSION

Donna R. Searcy

Donna R. Searcy
Secretary

APPENDIX

Part 90 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 90 continues to read as follows:

Authority: Secs. 4, 303 and 332, 48 Stat. 1066, 1082, as amended, 47 U.S.C. 154, 303 and 332, unless otherwise noted.

2. Section 90.21 is amended by revising the Fire Radio Service Frequency Table in paragraph (b) to include ten additional frequencies from 72.44 MHz through 75.60 MHz, to be added immediately following the 72.00 to 76.00 MHz entry, and adding paragraph (c)(19) to read as follows:

§ 90.21 Fire Radio Service.

Fire Radio Service Frequency Table

Frequency or band	Class of station(s)	Limitations

72.44	Mobile	19
72.48	do	19
72.52	do	19
72.56	do	19
72.60	do	19
75.44	do	19
75.48	do	19
75.52	do	19
75.56	do	19
75.60	do	19

(c) * * *

(19) This frequency is available to the Fire Radio Service for fire call box operations on a shared basis in the Manufacturers, Forest Products, Special Industrial, Railroad, and Fire Radio Services and interservice coordination is required. All communications on this frequency must be conducted with persons or organizations charged with specific fire protection responsibility. All operations on this frequency are subject to the provisions of Section 90.257(b).

3. Section 90.67 is amended by revising the first sentence of paragraph (c)(34) to read as follows:

§ 90.67 Forest Products Radio Service.

(c) * * *

(34) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial, Railroad, and Fire Radio Services and interservice coordination is required. * * *

4. Section 90.73 is amended by revising the first sentence of paragraph (d)(7) to read as follows:

§ 90.73 Special Industrial Radio Service.

ing with reception of television Channels 4 or 5.

⁸ The frequency coordination process should further reduce

the risk of interference on these channels.

(d) ***

(1) Mobile operation on frequencies in the 72-76 MHz band is subject to the condition that no interference is caused to the reception of television stations operating on Channel 4 or 5. ***

(7) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial, Railroad, and Fire Radio Services and interservice coordination is required. ***

5. Section 90.79 is amended by revising the first sentence of paragraph (d)(4) to read as follows:

§ 90.79 Manufacturers Radio Service.

(d) ***

(4) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial, Railroad, and Fire Radio Services and interservice coordination is required. ***

6. Section 90.91 is amended by revising the first sentence of paragraph (c)(2) to read as follows:

§ 90.91 Railroad Radio Service.

(c) ***

(2) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial, Railroad, and Fire Radio Services and interservice coordination is required. ***

7. Section 90.257 is amended by revising the introductory paragraph (b) and the first sentence of paragraph (b)(1) to read as follows:

§ 90.257 Assignment and use of frequencies in the band 72-76 MHz.

(b) The following criteria shall govern the authorization and use of frequencies within the band 72-76 MHz by mobile stations in the Special Industrial, Manufacturers, Forest Products, Railroad, and Fire Radio Services.